

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CANDICE SLAGOWSKI, *et al.*,

Plaintiffs,

vs.

CENTRAL WASHINGTON ASPHALT, *et al.*,
Defendants.

2:11-cv-00142-APG-VCF

ORDER

Pursuant to Third-Party Defendant Mitchell Forest Zemke's Non-Opposition to Defendant CWA's Motion to Extend Discovery (#305), the parties have stipulated to the following:

The parties recognize that CWA is the party requesting a continuance of these depositions, which ultimately necessitates a continuance of discovery, and that other parties object to any further continuances of discovery. However, the parties do wish, as a matter of professional courtesy, to comply with CWA's request. Therefore, as a condition to agreeing to a continuance of discovery, CWA agrees that all other parties have arguments concerning prejudice in the scope, timing and disclosures of expert reports and expert opinions. These concerns have been reflected both in prior motions filed, and in recent objections to late supplemental expert reports which have been produced and in motions yet to be filed.

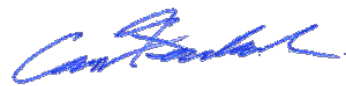
It is thereby agreed by CWA that any arguments concerning such prejudice are explicitly not waived by the parties, and that CWA will not assert, either in pleadings or in argument, that the parties are "not prejudiced" or have "waived" any prejudice by complying with CWA's request for a continuance as a matter of professional courtesy. Furthermore, the stipulation and condition must be approved by the court, such that the court acknowledges that CWA will not utilize such arguments, and that the court agrees that parties have not waived any such arguments.

Accordingly, and for good cause appearing,

The court has no objections to these conditions.

IT IS SO ORDERED.

DATED this 22nd day of September, 2014.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE